



226/286

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MODIFIED STEROID HORMONES FOR GENE THERAPY AND METHODS FOR THEIR USE the specification of which \_\_\_\_\_ is attached hereto.

X was filed on October 28, 1997 as Application Serial No. 08/959,013 and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability and/or examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Application(s):

<u>PCT/US97/19607</u>	_____	<u>October 28, 1997</u>	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u>60/029,964</u>	<u>October 29, 1996</u>
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Richard J. Warburg, Esq., Registration No. 32,327

Kindly recognize as associate attorney:

Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr. Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,035; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Bradford J. Duft, Reg. No. 32,219; Suzanne L. Biggs, Reg. No. 30,158; Steven M. Weiss, Reg. No. 37,534; Matthew W. Knight, Reg. No. 36,846; Richard J. Warburg, Reg. No. 32,327; F.T. Alexandra Mahaney, Reg. No. 37,668; Sheldon O. Heber, Reg. No. 38,179; Jeffrey W. Guise, Reg. No. 34,613; Charles S. Berkman, Reg. No. 38,077; and Anthony C. Chen, Reg. No. 38,673; of LYON & LYON LLP, 633 West Fifth Street, Suite 4700, Los Angeles, California 90071, telephone (619) 552-8400.

Address all telephone calls to Richard J. Warburg, Esq. at telephone no. 619 552-8400.

Address all correspondence to Richard J. Warburg, Esq., LYON & LYON LLP, 633 West Fifth Street, Suite 4700, Los Angeles CA 90071.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Full name of first inventor Bert W. O'Malley

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 639 Ramblewood, Houston, Texas 77079

Citizenship U.S.A.

Post Office Address 639 Ramblewood, Houston, Texas 77079

Full name of second inventor Ming-Jer Tsai

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 6014 Charlotte, Houston, Texas 77005

Citizenship China

Post Office Address 6014 Charlotte, Houston, Texas 77005

Full name of third inventor Sophia Y. Tsai

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 6014 Charlotte, Houston, Texas 77005

Citizenship China

Post Office Address 6014 Charlotte, Houston, Texas 77005

Full name of fourth inventor Harry C. Ledebur, Jr.

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 26001 Rudde Road #2803, Spring, Texas 77380

Citizenship U.S.A.

Post Office Address 26001 Rudde Road #2803, Spring, Texas 77380

Full name of fifth inventor Yaolin Wang

Inventor's signature  Date: Feb. 18, 98

Residence 820 Cheryl Drive, Iselin, New Jersey 08830

Citizenship China

Post Office Address 820 Cheryl Drive, Iselin, New Jersey 08830

Full name of sixth inventor Joseph D. Kittle, Jr.

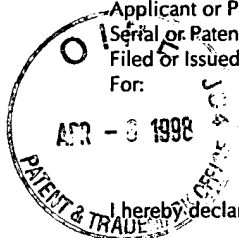
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 3226 Bluebonnet Meadows Lane, Houston, Texas 77084

Citizenship U.S.A.

Post Office Address 3226 Bluebonnet Meadows Lane, Houston, Texas 77084

Applicant or Patentee: Bert O'Malley et al.  
 Serial or Patent No.: 08/959,013  
 Filed or Issued: October 28, 1997  
 For: MODIFIED STEROID HORMONES FOR GENE THERAPY AND METHODS FOR THEIR USE



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(d) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: GENEMEDICINE, INC.  
 ADDRESS OF CONCERN: 8301 New Trails Drive  
 The Woodlands TX 77381-4248

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above-entitled invention, by inventor(s) Bert O'Malley et al. described in

- ☐ the specification filed herewith  
☒ application serial number 08/959,013, filed October 28, 1997  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)*

NAME	_____
ADDRESS	_____
	<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> SMALL BUSINESS CONCERN <input type="checkbox"/> NONPROFIT ORGANIZATION
NAME	_____
ADDRESS	_____
	<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> SMALL BUSINESS CONCERN <input type="checkbox"/> NONPROFIT ORGANIZATION
NAME	_____
ADDRESS	_____
	<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> SMALL BUSINESS CONCERN <input type="checkbox"/> NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Josef Bossart, Ph.D.  
 TITLE OF PERSON OTHER THAN OWNER: Vice President + CEO  
 ADDRESS OF PERSON SIGNING: 8301 New Trails Drive  
The Woodlands TX 77381-4248

Signature

JBossart

Date

January 20, 1998



226/286

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MODIFIED STEROID HORMONES FOR GENE THERAPY AND METHODS FOR THEIR USE the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on October 28, 1997 as Application Serial No. 08/959,013 and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability and/or examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Application(s):

<u>PCT/US97/19607</u>	_____	<u>October 28, 1997</u>	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u>60/029,964</u>	<u>October 29, 1996</u>
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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(Application Serial No.)	(Filing Date)	(Status)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Richard J. Warburg, Esq., Registration No. 32,327

Kindly recognize as associate attorney:

Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr. Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,035; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Bradford J. Duft, Reg. No. 32,219; Suzanne L. Biggs, Reg. No. 30,158; Steven M. Weiss, Reg. No. 37,534; Matthew W. Knight, Reg. No. 36,846; Richard J. Warburg, Reg. No. 32,327; F.T. Alexandra Mahaney, Reg. No. 37,668; Sheldon O. Heber, Reg. No. 38,179; Jeffrey W. Guise, Reg. No. 34,613; Charles S. Berkman, Reg. No. 38,077; and Anthony C. Chen, Reg. No. 38,673; of LYON & LYON LLP, 633 West Fifth Street, Suite 4700, Los Angeles, California 90071, telephone (619) 552-8400.

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Full name of first inventor Bert W. O'Malley

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 639 Ramblewood, Houston, Texas 77079

Citizenship U.S.A.

Post Office Address 639 Ramblewood, Houston, Texas 77079

Full name of second inventor Ming-Jer Tsai

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 6014 Charlotte, Houston, Texas 77005

Citizenship China

Post Office Address 6014 Charlotte, Houston, Texas 77005

Full name of third inventor Sophia Y. Tsai

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 6014 Charlotte, Houston, Texas 77005

Citizenship China

Post Office Address 6014 Charlotte, Houston, Texas 77005

Full name of fourth inventor Harry C. Ledebur, Jr.

Inventor's signature *Harry C. Ledebur, Jr.* Date: 2/24/98

Residence 26001 Rudde Road #2803, Spring, Texas 77380

Citizenship U.S.A.

Post Office Address 26001 Rudde Road #2803, Spring, Texas 77380

Full name of fifth inventor Yaolin Wang

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence 820 Cheryl Drive, Iselin, New Jersey 08830

Citizenship China

Post Office Address 820 Cheryl Drive, Iselin, New Jersey 08830

Full name of sixth inventor Joseph D. Kittle, Jr.

Inventor's signature *Joseph D. Kittle, Jr.* Date: Feb. 19 1998

Residence 3226 Bluebonnet Meadows Lane, Houston, Texas 77084

Citizenship U.S.A.

Post Office Address 3226 Bluebonnet Meadows Lane, Houston, Texas 77084



226/286

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I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MODIFIED STEROID HORMONES FOR GENE THERAPY AND METHODS FOR THEIR USE the specification of which

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Prior Application(s):

<u>PCT/US97/19607</u> (Number)	_____ (Country)	<u>October 28, 1997</u> (Day/Month/Year Filed)	<u>      </u> Yes	<u>      </u> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>      </u> Yes	<u>      </u> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>      </u> Yes	<u>      </u> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u>60/029,964</u> (Application Number)	<u>October 29, 1996</u> (Filing Date)
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<u>                                    </u> (Application Serial No.)	<u>                                    </u> (Filing Date)	<u>                                    </u> (Status)
<u>                                    </u> (Application Serial No.)	<u>                                    </u> (Filing Date)	<u>                                    </u> (Status)



I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Richard J. Warburg, Esq., Registration No. 32,327

Kindly recognize as associate attorney:

Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr. Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,035; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Bradford J. Duft, Reg. No. 32,219; Suzanne L. Biggs, Reg. No. 30,158; Steven M. Weiss, Reg. No. 37,534; Matthew W. Knight, Reg. No. 36,846; Richard J. Warburg, Reg. No. 32,327; F.T. Alexandra Mahaney, Reg. No. 37,668; Sheldon O. Heber, Reg. No. 38,179; Jeffrey W. Guise, Reg. No. 34,613; Charles S. Berkman, Reg. No. 38,077; and Anthony C. Chen, Reg. No. 38,673; of LYON & LYON LLP, 633 West Fifth Street, Suite 4700, Los Angeles, California 90071, telephone (619) 552-8400.

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Full name of first inventor Bert W. O'Malley  
 Inventor's signature Bert W. O'Malley Date: 2/11/98  
 Residence 639 Ramblewood, Houston, Texas 77079  
 Citizenship U.S.A.  
 Post Office Address 639 Ramblewood, Houston, Texas 77079

Full name of second inventor Ming-Jer Tsai  
 Inventor's signature Ming-Jer Tsai Date: 2/16/98  
 Residence 6014 Charlotte, Houston, Texas 77005  
 Citizenship China U.S.A.  
 Post Office Address 6014 Charlotte, Houston, Texas 77005

Full name of third inventor Sophia Y. Tsai  
Inventor's signature *Sophia Y. Tsai* Date: 2/16/88  
Residence 6014 Charlotte, Houston, Texas 77005  
Citizenship China USA  
Post Office Address 6014 Charlotte, Houston, Texas 77005

Full name of fourth inventor Harry C. Ledebur, Jr.  
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 26001 Rudde Road #2803, Spring, Texas 77380  
Citizenship U.S.A.  
Post Office Address 26001 Rudde Road #2803, Spring, Texas 77380

Full name of fifth inventor Yaolin Wang  
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 820 Cheryl Drive, Iselin, New Jersey 08830  
Citizenship China  
Post Office Address 820 Cheryl Drive, Iselin, New Jersey 08830

Full name of sixth inventor Joseph D. Kittle, Jr.  
Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_  
Residence 3226 Bluebonnet Meadows Lane, Houston, Texas 77084  
Citizenship U.S.A.  
Post Office Address 3226 Bluebonnet Meadows Lane, Houston, Texas 77084

Applicant or Patentee: Bert O'Malley et al.  
Serial or Patent No.: 08/959,013  
Filed or Issued: October 28, 1997  
For: MODIFIED STEROID HORMONES FOR GENE THERAPY AND METHODS FOR THEIR USE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(e) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: BAYLOR COLLEGE OF MEDICINE  
ADDRESS OF ORGANIZATION: One Baylor Plaza  
Houston, TX 77030

**TYPE OF ORGANIZATION:**

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE: )  
(CITATION OF STATUTE: )  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE: )  
(CITATION OF STATUTE: )

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled MODIFIED STEROID HORMONES FOR GENE THERAPY AND METHODS FOR THEIR USE by inventor(s) O'Malley et al. described in

- ☐ the specification filed herewith.  
☒ application serial no. 08/959,013, filed October 28, 1997.  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL      ☐ SMALL BUSINESS CONCERN      ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

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NAME OF PERSON SIGNING:

W. DALTON TOMLIN

TITLE OF PERSON IN ORGANIZATION:

SR. Vice President + General Counsel

ADDRESS OF PERSON SIGNING:

One Baylor Plaza, Suite 186A

Houston, TX 77030

Signature

W. Dalton Tomlin

Date

3/10/98